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特許性に関する国際予備報告(特許協力条約第二章)

(法第12条、法施行規則第56条) [PCT36条及びPCT規則70]

出願人又は代理人 の書類記号 B267P-X262	今後の手続きについて	の手続きについては、様式PCT/IPEA/416を参照すること。					
国際出願番号 PCT/JP03/11450	国際出願日 (日.月.年) 08.	09.2003	優先日 (日.月.年)	0.9.0	9. 2	2 0 0	2
国際特許分類 (IPC) Int. Cl. 7 F23J 15/00, F23L 15/00, B01D 53/64							
出願人(氏名又は名称) パプコック日立	株式会社			•			
	· · · · · · · · · · · · · · · · · · ·						
1. この報告書は、PCT35条に基づ 法施行規則第57条 (PCT36条)			予備審査報告で	きある。			
2. この国際予備審査報告は、この表紙	を含めて全部で	3 ページ	からなる。				•-
3. この報告には次の附属物件も添付さ a 附属書類は全部で	れている。 ページである。	,	t.			•	
価正されて、この報告の基 囲及び/又は図面の用紙(				を含む明	細書、	請求	の範
第 I 欄 4 . 及び補充欄に示 国際予備審査機関が認定し		おける国際出願の開	示の範囲を超え	た補正を	含むも	のと	この
<u> </u>	·						
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b 電子媒体は全部で 配列表に関する補充欄に示す ブルを含む。(実施細則第8		読み取り可能な形式		媒体の種類 なは配列表			
配列表に関する補充欄に示す	0 2 号参照)	読み取り可能な形式					
配列表に関する補充欄に示す ブルを含む。(実施細則第8	02号参照) を含む。 報告の基礎 性又は産業上の利用可能	,	による配列表文	ては配列表			
配列表に関する補充欄に示す ブルを含む。(実施細則第 8 4.この国際予備審査報告は、次の内容 区 第 I 欄 国際予備審査等 日 第 I 欄 優先権 日 第 II 欄 新規性、進歩	02号参照) にを含む。 報告の基礎 性又は産業上の利用可能の欠如 (2)に規定する新規性、 献及び説明	<b> </b>	による配列表 X	ては配列表 ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・ ・	に関連	正する	テー
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配列表に関する補充欄に示すブルを含む。(実施細則第8 4. この国際予備審査報告は、次の内容    第 I 欄 国際予備審査等	02号参照) な合む。 報告の基礎 性又は産業上の利用可能 の欠如 (2)に規定する新規性、 献文が説明 文献 備 する意見	をはたっいての国際では 進歩性又は産業上の 国際予備審査報告を	による配列表 y ・備審査報告の 利用可能性に ・作成した日 の9.08.	スは配列表 不作成 ついての見 2004	上解、 さ	されを	テー ・ 裏付 114

### 特許性に関する国際予備報告

国際出願番号 PCT/JP03/11450

第1欄	報告の基礎
1. Ξσ	国際予備審査報告は、下記に示す場合を除くほか、国際出願の言語を基礎とした。
	この報告は、 語による翻訳文を基礎とした。 それは、次の目的で提出された翻訳文の言語である。 ] PCT規則12.3及び23.1(b)にいう国際調査 ] PCT規則12.4にいう国際公開 ] PCT規則55.2又は55.3にいう国際予備審査
	報告は下記の出願書類を基礎とした。(法第6条(PCT14条)の規定に基づく命令に応答するために提出され 用紙は、この報告において「出願時」とし、この報告に添付していない。)
×	出願時の国際出願書類
	明細書           第         ページ、 出願時に提出されたもの           第         ページ*、 付けで国際予備審査機関が受理したもの           第         ページ*、 付けで国際予備審査機関が受理したもの
	請求の範囲
	第       項、出願時に提出されたもの         第       項*、PCT19条の規定に基づき補正されたもの         項*、 PCT19条の規定に基づき補正されたもの       項*、 付けで国際予備審査機関が受理したもの         項*、 付けで国際予備審査機関が受理したもの
	図面 第 ページ/図、 出願時に提出されたもの
	第        付けで国際予備審査機関が受理したもの         第        付けで国際予備審査機関が受理したもの
з. П	配列表又は関連するテーブル 配列表に関する補充欄を参照すること。 補正により、下記の書類が削除された。
-; L	明細書 第
	図面     第       配列表(具体的に記載すること)       配列表に関連するテーブル(具体的に記載すること)
4.	この報告は、補充欄に示したように、この報告に添付されかつ以下に示した補正が出願時における開示の範囲を超えてされたものと認められるので、その補正がされなかったものとして作成した。 (PCT規則70.2(c))
,	関知書       第       ページ         請求の範囲       第       項         図面       第       ページ/図         配列表(具体的に記載すること)          配列表に関連するテーブル(具体的に記載すること)
* 4.	に該当する場合、その用紙に"superseded"と記入されることがある。

#### 特許性に関する国際予備報告

国際出願番号 PCT/JP03/11450

第V欄 新規性、進歩性又は産業上の利用可能性についての法第12条(PCT35条(2))に定める見解、 それを裏付ける文献及び説明				
1. 見解				
新規性 (N)	請求の範囲 請求の範囲	1-2, 4 3	有 無	
進歩性 (IS)	請求の範囲	1-4	有 無	
産業上の利用可能性(IA)	請求の範囲 請求の範囲	1-4	有 無	

#### 2. 文献及び説明 (PCT規則70.7)

文献1: JP 2000-325746 A (バブコック日立株式会社) 200 0.11.28 第3欄第21-28行,第4欄第1-3行,第4欄第35-37 行,図1,図5 文献2: JP 9-122438 A (バブコック日立株式会社) 1997.0 5.13 第1欄第2-19行,第2欄第1-47行,図1-5 文献3: JP 2-298316 A (日立造船株式会社) 1990.12.10 第1頁左下欄第5-12行,第2頁右下欄第20行-第3頁左上欄第10行,第3 頁右上欄第2-16行,第1図 文献4: JP 2001-198434 A (三菱重工業株式会社) 2001.0 7.24第5欄第50行-第6欄第14行,第7欄第2-7行,第8欄第42-4 5行,図1

請求の範囲3に係る発明は、国際調査報告で引用された文献1の第3欄第21-28行,第4欄第1-3行及び第35-37行,図1,図5に記載されているので、新規性、進歩性を有しない。

請求の範囲1-2,4に係る発明は、文献1と国際調査報告で引用された文献2 (第1欄第2-19行,第2欄第1-47行,図1-5)、文献3(第1頁左下欄 第5-12行,第2頁右下欄第20行-第3頁左上欄第10行,第3頁右上欄第2 -16行,第1図)、文献4(第5欄第50行-第6欄第14行,第7欄第2-7 行,第8欄第42-45行,図1)により進歩性を有しない。文献3により教示された排ガス温度制御による重金属除去手段、文献2により教示された排ガス温度制御手段及び文献4により教示された重金属濃度検知手段を、それぞれ文献1の装置に用いることは、当業者にとって容易である。



# PATENT COOPERATION TREATY





# **PCT**

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference B267P-X262	FOR FURTHER ACTIO	ON	See Form PCT/IPEA/416		
International application No.	International filing date (d	lay/month/year)	Priority date (day/month/year)		
PCT/JP2003/011450	08 September 2003	(08.09.2003)	09 September 2002 (09.09.2002)		
International Patent Classification (IPC) or national classification and IPC F23J 15/00, F23L 15/00, B01D 53/64					
Applicant BABCOCK-HITACHI KABUSHIKI KAISHA					
This report is the international preli Authority under Article 35 and tran	minary examination report, smitted to the applicant acco	established by this ording to Article 3	s International Preliminary Examining 6.		
2. This REPORT consists of a total of		cluding this cover	sheet.		
3. This report is also accompanied by					
a. (sent to the applicant an	d to the International Burea	u) a total of	sheets, as follows:		
sheets of the des and/or sheets co Administrative I	ntaining rectifications autho	wings which have borized by this Auth	been amended and are the basis of this report cority (see Rule 70.16 and Section 607 of the		
sheets which su beyond the disc Supplemental B	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the				
·	indicated in the Supplement	ng a sequence list	type and number of electronic carrier(s)) ing and/or tables related thereto, in computer to Sequence Listing (see Section 802 of the		
4. This report contains indications re	lating to the following items	s:			
Box No. I Basis of the	report				
Box No. II Priority					
Box No. III Non-establi	shment of opinion with rega	ard to novelty, inve	entive step and industrial applicability		
Box No. IV Lack of uni	ty of invention				
Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;					
citations and explanations supporting such statement  Box No. VI Certain documents cited					
Box No. VII Certain defects in the international application					
Box No. VIII Certain observations on the international application					
Date of submission of the demand		Date of completion	n or this report		
09 April 2004 (09.04.2004)		09	9 August 2004 (09.08.2004)		
Name and mailing address of the IPEA/J	P	Authorized office	r		
Foorimile No.		Telephone No.			



# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/011450

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.  This report is based on translations from the original language into the following language which is language of a translation furnished for the purpose of: international search (under Rules 12.3 and 23.1(b)) publication of the international application (under Rules 12.4) international preliminary examination (under Rules 12.4) international preliminary examination (under Rules 55.2 and/or 55.3)  2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and or not unneced to this report).  The international application as originally filed/furnished the description: pages received by this Authority on pages received by this Authority on received by this Authority on pages pages received by this Authority on received by this Authority on pages received by this Authority on pages received by this Authority on received by this Authority on pages received by this Authority on received by this Authority on pages received by this Authority on received by this Authority on pages received by this Authority on received by this Authority on received by this Authority on pages the claims, Nos.  The amendments have resulted in the cancellation of:  The amendments have resulted in the cancellation of:  The drawings, sheets/figs the sequence listing (specify):  any table(s) related to sequence lis	Box No. I	Bas	sis of the report				
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### INTERNATIONAL PRELIMINARY EXAMINATION REPORT



V.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
	citations and explanations supporting such statement

1.	Statement			<u> </u>
	Novelty (N)	Claims	1-2, 4	YES
		Claims	3	NO
	Inventive step (IS)	Claims		YES
		Claims	1-4	NO NO
	Industrial applicability (IA)	Claims	1-4	YES
		Claims		NO NO

#### 2. Citations and explanations

- Document 1: JP 2000-325746 A (Babcock-Hitachi Kabushiki Kaisha), 28 November 2000, paragraph 3, lines 21 to 28; paragraph 4, lines 1 to 3; paragraph 4, lines 35 to 37; fig. 1 and 5)
- Document 2: JP 9-122438 A (Babcock-Hitachi Kabushiki Kaisha), 13 May 1997, paragraph 1, lines 2 to 19; paragraph 2, lines 1 to 47; fig. 1 to 5
- Document 3: JP 2-298316 A (Hitachi Zosen Corporation), 10

  December 1990, page 1, lower left column,

  lines 5 to 12; page 2, lower left column,

  line 20 to page 3, upper left column, line

  10; page 3, upper right column, lines 2 to

  16; fig. 1
- Document 4: JP 2001-198434 A (Mitsubishi Heavy Industries, Ltd.), 24 July 2001, paragraph 5, line 50 to paragraph 6, line 14; paragraph 7, lines 2 to 7; paragraph 8, lines 42 to 45; fig. 1

The invention set forth in claim 3 is disclosed in document 1 (paragraph 3, lines 21 to 28; paragraph 4, lines 1 to 3 and 35 to 37; fig. 1 and 5) cited in the international search report, and therefore lacks novelty and does not involve an inventive step.

The invention set forth in claims 1, 2 and 4 does not involve an inventive step in the light of document 1 and document 2 (paragraph 1, lines 2 to 19; paragraph 2, lines 1 to 47; fig. 1 to 5), document 3 (page 1, lower left column, lines 5 to 12; page 2, lower left column, line 20 to page 3, upper left column, line 10; page 3, upper right column, lines 2 to 16; fig. 1) and document 4 (paragraph 5, line 50 to paragraph 6, line 14; paragraph 7, lines 2 to 7; paragraph 8, lines 42 to 45; fig. 1) cited in the international search report. It would be easy for a person skilled in the art to apply the means of removing heavy metals by controlling exhaust gas temperature set forth in document 3, the exhaust gas temperature control means set forth in document 2 and the heavy metal concentration detection means set forth in document 4, to the device set forth in document 1.